

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CENGAGE LEARNING, INC.)	
(f/k/a THOMSON LEARNING, INC.))	
PEARSON EDUCATION, INC.)	
JOHN WILEY & SONE, INC., AND)	
THE MCGRAW-HILL COMPANIES, INC.,)	
)	
Plaintiffs,)	
)	07 Civ. 8540
)	
-against-)	
)	
BUCKEYE BOOKS,)	
USED BOOK EXCHANGE,)	
TEXTBOOKSRUS.COM, LLC, and)	
PHILIP SMYRES,)	
)	
Defendants)	

DEFENDANTS' RULE 26(a)(1) INITIAL DISCLOSURES

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Defendants Buckeye Books, Used Book Exchange, Textbooksrus.com LLC, and Philip Smyres make the following initial disclosures:

1. **Rule 26(a)(1)(A)(i) Disclosures:** The following individual is likely to have discoverable information that Defendants may use to support its claims and defenses:

Mr. Philip Smyres, President
TextbooksRus
10 E. 15th Avenue
Columbus, OH 43221
TEL: (614) 486-8072

2. **Rule 26(a)(1)(A)(ii) Disclosures:** Non-privileged documents responsive to Rule 26(a)(1)(A)(ii) disclosure requirements will be available, upon reasonable notice, for Plaintiffs review, inspection and/or copying at the offices of:

Neil B. Mooney, Esq.
The Mooney Law Firm, LLC
1911 Capital Circle N.E.
Tallahassee, FL 32308

TEL: (850) 893-0670

The documents will include any books possessed by Defendants alleged by Plaintiffs to be pirated and/or international editions, and documents relating thereto.

3. **Rule 26(a)(1)(A)(iii) Disclosures:** Defendants have not been able to calculate damages.
4. **Rule 26(a)(1)(A)(iv) Disclosures:** Defendants possess no insurance agreement relevant to this matter.

I certify that to the best of my knowledge, information and belief, formed after a reasonable inquiry, the foregoing Initial Disclosures are complete and correct as of the time made.

/ Neil B. Mooney/
Neil B. Mooney

CERTIFICATE OF SERVICE

I hereby certify that on the 10th day of December, 2007, I electronically filed the foregoing with the Clerk of Court using CM/ECF system which will send notification of such filing to the following CM/ECF-participant counsel of record:

Cozen O'Connor
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Education, Inc., John Wiley & Sons,
Inc., and The McGraw-Hill Companies

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